IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	CASE NO. 8:11CR149
Plaintiff,)	
VS.)	MEMORANDUM AND ORDER
ROBERT E. COVER,)	
Defendant.)	

Before the Court are the Findings and Recommendation of Magistrate Judge F.A. Gossett (Filing No. 42). No objections have been filed. Under 28 U.S.C. § 636(b)(1)(C), the Court has conducted a de novo review of the record and adopts the Findings and Recommendation in their entirety.

IT IS ORDERED:

- The Magistrate Judge's Findings and Recommendation (Filing No. 42) are adopted in their entirety; and
- The Defendant's motion to dismiss Count I or II (Filing No. 29) is denied as premature, without prejudice, in accordance with the Findings and Recommendation.

DATED this 29th day of November, 2011.

BY THE COURT:

s/Laurie Smith Camp United States District Judge